

THIS OPINION WAS NOT WRITTEN FOR PUBLICATION

The opinion in support of the decision entered today (1) was not written for publication in a law journal and (2) is not binding precedent of the Board.

Paper No. 47

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte EDWARD J. NEUBAUER, RICHARD J. GALLAWAY,
and JUANITA F. BOWDEN

Appeal No. 1997-3660
Application 08/055,802¹

ON BRIEF

Before SCHAFER, LEE, and TORCZON, Administrative Patent Judges.

LEE, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal under 35 U.S.C. § 134 from the examiner's rejection of claims 1-14. No claim has been allowed.

References relied on by the Examiner

Risberg et al. (Risberg)	5,339,392	Aug.
16, 1994		

Snodgrass et al. (Snodgrass), "Temporal Databases," **IEE Computer**, pp. 35-42 (1986).

¹ Application for patent filed April 30, 1993.

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Appellant's own admitted prior art on pages 1-2 of the specification.

The Rejection on Appeal

Claims 1-14 stand rejected under 35 U.S.C. § 103 as being unpatentable over Snodgrass, Risberg, and the appellant's own admitted prior art.

As for the appellants' own admitted prior art on pages 1-2 of the specification, the examiner merely stated on page 4 of the examiner's answer: "Applicant's admitted prior art in the specification p. 1 and 2 includes time-relational database management systems comprising master, pending, history and error records." How this statement fits within the rationale of the rejection is not apparent and is not explained. Snodgrass already discloses different kinds of time-relational database systems storing time-differentiated records. We decline to speculate as to what the examiner had in mind. An examiner must always articulate and express the reasoning and rationale underlying a rejection and cannot simply throw up a reference and hope that the Board would compose a meaningful

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and convincing rationale to fit the stated ground of rejection.

Accordingly, we will treat the rejection as one based solely on the combination of Snodgrass and Risberg. To the extent that the examiner had reasoning in mind, albeit unexpressed, based on the appellants' admitted prior art, this case will be remanded to enable the examiner to reduce his thoughts to writing and include them in the record.

The Invention

The invention is directed to a method for selecting and representing time-varying data from a time-relational database management system having a plurality of timestamped versions of records (claims 1, 3, and 6) or time-differentiated records (claim 10). The independent claims are claims 1, 3, 6 and 10.

On the basis of use of "composite records," the appellants have separately argued claims 3, 4, 5 and 10, as a group, apart from claims 1, 2, 6-9, and 11-14, as a group.

Representative claims 1 and 3 are reproduced below:

1. In an interactive data entry system wherein a user is presented with a data entry screen, a method for selecting and representing time-varying data from a time-relational database management system having a plurality of timestamped versions of

master, pending, and history records each comprising at least one data field and displayable at least in part as logical records, comprising the steps of:

a. initially displaying on the data entry screen a logical master record as a current record with a default attribute;

b. enabling selection by the user of one of a pending record or history record by timestamp version as a selected record, and in response to such selection:

(1) reading the selected record;

(2) comparing the data fields of the selected record to the corresponding data fields of the current record;

(3) selecting as difference fields all data fields from the selected record that differ from the corresponding data fields of the current record;

(4) displaying on the data entry screen the selected difference fields from the selected record overlaid on the corresponding data fields of the displayed current record to generate a next current record, the selected difference fields being displayed with an attribute distinct from the default attribute.

3. In an interactive data entry system wherein a user is presented with a data entry screen, a method for selecting and representing time-varying data from a time-relational database management system having a plurality of timestamped versions of master, pending, and history records each comprising at least one data field and displayable at least in part as logical records, comprising the steps of:

a. initially displaying on the data entry screen a logical master record as a current record with a default attribute;

b. enabling selection by the user of one of a group of pending records or history records having a timestamp version within a predefined time period as selected records, and in response to such selection:

(1) time-sequentially reading the selected records;

(2) generating a composite record by selecting all of the data fields of the earliest version of the selected records as an initial composite record, then comparing the data fields of the next earliest version of the selected records to the corresponding data fields of the composite record, selecting all data fields from said next earliest version that differ from the corresponding data fields of the composite record, overlaying the selected data fields on the corresponding data fields of the composite record to generate a next composite record, and repeating such comparison, selection, and overlaying for all selected records;

(3) comparing the data fields of the composite record to the corresponding data fields of the current record;

(4) selecting as difference fields all data fields from the composite record that differ from the corresponding data fields of the current record;

(5) displaying on the data entry screen the selected difference fields from the composite record overlaid on the corresponding data fields of the displayed current record to generate a next current record, the selected difference fields being displayed with an attribute distinct from the default attribute.

Opinion

The rejection of claims 1-14 as being unpatentable over Snodgrass and Risberg cannot be sustained.

A reversal of any rejection on appeal should not be construed as an affirmative indication that the appellants' claims are patentable over prior art. We address only the positions and rationale as set forth by the examiner and on which the examiner's rejection of the claims on appeal is based.

Each of claims 1, 3 and 6 recites the step of initially displaying on the data entry screen a logical master record as a current record with a default attribute. Claim 10 recites the steps of (a) reading a first record, and (b) displaying on the data entry screen the first record with a first character attribute. Claims 1, 3, and 6 recite that each record includes at least one data field, and claim 10 recites that each record includes a plurality of data fields.

Claims 1, 3, and 6 then recite "enabling selection by the user of one of a pending record or history record by timestamp version as a selected record, and claim 10 recites "enabling selection by the user of a second record." According to all

of claims 1, 3, 6 and 10, the corresponding data fields of the two records are compared and those data fields which show a difference as a result of the comparison are displayed in a distinct attribute different from that of the record already on display, and in an overlaid manner over the corresponding data fields thereof.

Consequently, the claimed invention requires the reading of two records with corresponding data field or fields, the display of the first record in one default or basic attribute, and then the display, in an overlaid manner, of those data fields in the second record which exhibit a difference from the corresponding data fields in the first record, in a second attribute distinct from the first. The second record has to be selected by a user.

We reject the appellants' argument that Snodgrass' querying a database does not satisfy the claim feature of enabling selection of a record. Since the query results in identification of a particular record which satisfies the conditions of the query, in our view it does enable the selection of a record.

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However, the examiner has made clearly erroneous findings as to the scope and content of the Snodgrass reference. On page 4 of the examiner's answer, it is stated (Emphasis in original.):

- With respect to independent claim 1, Snodgrass shows

- master record display with a default attribute is shown by faculty record.

- selecting difference fields based on comparison between master and transaction record is shown p. 37 under **Temporal databases**.

but does not show displaying difference fields overlaid on corresponding data fields with distinct attribute.

In Snodgrass it appears that each display is the result of an independent query and bears no particular relationship or association to the record previously being displayed. The examiner has not meaningfully identified in Snodgrass what constitutes the master or first record and what constitutes the transaction or second record. The cited portion of Snodgrass has been reviewed and it is not evident how anything therein supports the examiner's finding that "selecting difference fields based on comparison between master and

transaction record is shown in p. 37 under Temporal databases." The examiner has not pointed to any disclosure in Snodgrass for comparing the fields of a second record which answers a query from the user with the fields of a first record already on display. Accordingly, the differences between Snodgrass and the appellant's claimed invention are more than those recognized by the examiner.

With respect to Risberg, the examiner stated (answer at page 4):

Risberg col. 39 **Mode Menu** shows displaying difference fields overlaid on corresponding data fields with distinct attribute in an analogous art for the purpose of highlighting changes in time sensitive data. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to apply Risberg's displaying difference fields overlaid on corresponding data fields with distinct attribute to Snodgrass because of Risberg's taught advantages of highlighting changes in time sensitive data. (Emphasis in original.)

The cited portion of Risberg concerns the display of "real time data" with continuous update capability. Updated new versions of the same data are continuously received while the older version is on display, comparison is made between the old version and the new version to determine those

portions which have changed. Thereafter, the new version is displayed with the changed portions in highlight.

According to the appellants, the newly received and updated versions of the data do not constitute a user-selected record since no choice or particular action from the user is involved. The examiner's position, on the other hand, is that because a user has some role in the selection of the type of data to be displayed and then automatically continuously updated, each new update is a user-selected record. Although the examiner's position is reasonable, it does not account for the requirement in the appellants' claims that user selection of a record is made after the display of a first or current record.

While it is true that the various steps recited in a method claim do not necessarily have to be executed in sequential order, we find that in the context of appellants' independent claims 1, 3, 6 and 10, the step of enabling selection by a user of a record must follow the display of a first or current record. In particular, the first step recited in claims 1, 3, and 6 is "initially displaying on the data entry screen a logical master record as a current record

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with a default attribute". Thus, the display of the first master record must precede each of the other steps recited in those claims. As for independent claim 10, while the first displaying step is not modified by the word "initially," in our view and in the context of the appellants' specification it is implicit that "displaying the first record" precedes "enabling selection by the user of a second record." The appellants' disclosed invention is concerned with active user selection of a second record while a first record is on display. In the circumstances of this case, an interpretation which reads user-selection of a second record on automatic continuous updates of real time data is unreasonable.

For the foregoing reasons, the rejection of claims 1-14 as being unpatentable over Snodgrass and Risberg cannot be sustained.

Conclusion

The rejection of claims 1-14 under 35 U.S.C. § 103 as being unpatentable over Snodgrass and Risberg is reversed.

This case is remanded to the examiner for clarification and/or supplementation as to the role of the appellants' own admitted prior art on pages 1-2 of the specification in the

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examiner's originally stated ground of rejection, i.e., one based on Snodgrass, Risberg, and the appellants' admitted prior art.

This application, by virtue of its "special" status, requires an immediate action. M.P.E.P. § 708.01(d) (7th ed., July 1998).

REVERSED and REMANDED

RICHARD E. SCHAFER)	
Administrative Patent Judge)	
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JAMESON LEE)	APPEALS AND
Administrative Patent Judge)	INTERFERENCES
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